IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODPUR

ORDER

S.B. Criminal Misc. Petition No.1441/2007

(Moti Ram Vs. State)

Date of Order : 20th September , 2007

HON'BLE MR. H.R. PANWAR, J.

Mr. Ramesh Purohit for petitioner.
Mr. Ashok Upadhyay, PP.

Issue notice for final disposal.

Mr. Ashok Upadhyay, learned Public is directed to accept the notice on behalf of the State. He accepts the notice. With the consent of the learned counsel for the parties, the matter is finally heard and decided at the admission stage.

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks direction to the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Bhilwara, to proceed expeditiously in Sessions Case No.29/2006.

Heard learned counsel for the petitioner and the learned Public Prosecutor.

It is contended by the learned counsel for the petitioner is that the petitioner is facing trial for the offence under Section 376(2)(a) IPC and 3(i)(xii) of the SC/ST (Prevention of Atrocities) Act since 22.04.2006 but even the arguments on the charge have not been heard so far. Learned counsel has placed on record various order-sheets of the trial court.

On perusal of the order-sheets, it appears that the matter is simply being adjourned by the trial court for argument on charge. It is a session case and without there being any trial, the accused has been appearing on each and every date, which is evident from the order-sheets of the trial court. There cannot be a reason not to proceed expeditiously in the trial.

In this view of the matter, the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Bhilwara is directed to proceed with the trial utmost expeditiously keeping in view that the trial of the case has already delayed without any reason.

With the above observation, the misc. petition stands disposed of.

(H.R. Panwar), J.

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